

(1) Report of Administration; and (2) Petition for Fees and (3) Final Distribution of Insolvent Estate

<b>DOD: 4/10/2008</b>		<b>PUBLIC ADMINISTRATOR</b> , Successor Administrator, is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. At the time the petition for Probate was filed in June of 2008 beneficiary Audrey L. Jacobs was a minor. The petition does not indicate whether or not Audrey is now an adult.  2. Former Administrator Rebecca Jacobs was removed as Administrator and the Public Administrator was appointed to investigate whether or not Ms. Jacob should be surcharged. A surcharge order was entered against Rebecca in the amount of \$14,317.93. Since Rebecca was a 1/2 beneficiary in the estate she was entitled to 1/2 the surcharge amount. Therefore the estate was paid \$7,157.98 from the bonding company. Petition proposes to distribute the property on hand in the estate 1/2 to the bonding company for Rebecca's share and 1/6 each to Turner, Jason, and Audrey the decedent's grandchildren. Rebecca's 1/2 has already been distributed to the bonding company therefore the remaining 1/2 of the estate should pass to the remaining heirs only.  <u><b>Note:</b></u> Examiner has spoken with Ms. Kruthers. Ms. Kruthers indicates she is aware of the issues raised and will be filing something from the bonding company indicating they agree they should not be receiving any portion of the remaining estate. She will also be submitting a revised order.
		Account period: 8/31/10 – 9/12/12		
<b>Cont. from</b>		Accounting - <b>\$7,158.97</b>		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$7,159.97</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$6,447.57</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>	Administrator (statutory) - <b>\$286.36</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>			
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Attorney (statutory) - <b>\$286.36</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/	Attorney X/O - <b>\$1,065.00</b> (per itemization and declaration for surcharge petition, 7.10 hours @ \$150/hr)	
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>	Bond fee (o.k.) - <b>\$25.00</b>		
	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>	11/7/08	Court fees - <b>\$25.50</b>	
	<b>Duties/Supp</b>			
	<b>Objections</b>	Proposed distribution, pursuant to intestate succession, is to:		
	<b>Video Receipt</b>	ACIC (bond company)- <b>\$2,162.17</b> representing beneficiary and former Administrator Rebecca A. Jacobs 1/2 share.		
	<b>CI Report</b>			
<input checked="" type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>	Turner A. Jacobs - <b>\$720.73</b> Jason D. Jacobs - <b>\$720.73</b> Audrey L. Jacobs - <b>\$720.73</b>		
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
<input checked="" type="checkbox"/>	<b>FTB Notice</b>			
<b>Reviewed by: KT</b>				
<b>Reviewed on: 11/9/12</b>				
<b>Updates:</b>				
<b>Recommendation:</b>				
<b>File 1 - Jacobs</b>				

(1) Petition for Final Distribution on Waiver of Account and (2) for Compensation to  
Executor's Attorney for Statutory Services [Prob. C. 10800, 10801, 10954]

<b>DOD: 8/27/2007</b>		<b>DALE EUGENE ANDREWS</b> , Executor, is	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petition does not include a statement under Probate Code 9202(c)(1) re: Notice to the Franchise Tax Board.  2. Need property on hand schedule. California Rules of Court 7.550 and Local Rule 7.13.  3. Need change in asset schedule. California Rules of Court 7.550.  4. Need Trustee's declaration pursuant to Local Rule 7.12.5.
		petitioner.	
		Accounting is waived.	
<b>Cont. from</b>		I & A - <b>\$103,918.00</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	POH - ???	
<input checked="" type="checkbox"/>	<b>Verified</b>	Executor - <b>waives</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Attorney - <b>\$2,000.00</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	(less than statutory)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<b>Distribution, pursuant to Decedent's Will, is to:</b>	
	<b>Aff.Mail</b>	Dale Eugene Andrews, as Successor	
	<b>Aff.Pub.</b>	Trustee of the Alberta Andrews Living Trust	
	<b>Sp.Ntc.</b>	- ????	
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>	3/6/09	
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>	X	
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 11/9/12</b>
			<b>Updates: 11/14/12</b>
			<b>Recommendation:</b>
			<b>File 2 - Andrews</b>

**Former Successor Co-Trustees Philip and Debra Hudson's Preliminary and Partial  
Account for Time Period of 10/19/2004-4/5/2011**

<b>Marjorie C. Hudson</b> <b>Resigned: 10-19-04</b> <b>DOD: 7-27-12</b>		<b>PHILIP and DEBRA HUDSON</b> , Former Successor Co-Trustees of the <b>HUDSON TESTATMENTARY TRUST</b> dated November 17, 1986 created by <b>MARJORIE C. HUDSON</b> (deceased) on 11-17-85, are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> This is a preliminary and partial accounting and Petitioners are not seeking Court approval at this time (see prayer), but seek to be allowed to supplement this accounting.  <u>Update:</u> Amended and Final Accounting filed 11-7-12 is set for hearing on 1-2-13.  1. Need proof of service of Notice of Hearing at least 30 days prior to the hearing per Probate Code §17200 on: - Fresno County Public Guardian - Gale Dean Hudson (son)  <u>Note:</u> County Counsel was served, but Public Guardian was not served.  <u>Note:</u> Documentation in the related conservatorship case 09CEPR01001 indicates the whereabouts of Gale Dean Hudson were unknown to the Public Guardian, but were known to Savilla Hudson. The Court may require notice or diligence.																																																																				
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**Petitioners state** it is their intention to further augment this filing with further detail for the Court in order to drill down to a more accurate accounting of items attributable to the Estate and items attributable to the Co-Trustees as potential advances.

**Preliminary and Partial Account period:** 10-19-04 through 4-5-11

Accounting: \$1,066,933.78

Beginning POH: \$492,023.80

Ending POH: \$135,100.02 (residence and household furniture and furnishings only)

**Beginning POH consisted of the residence in Reedley and furniture and furnishings, plus \$356,923.80 in cash and mutual funds.**

**Receipts total \$574,909.98** and include capital gains, various deposits, dividends, interest, long-term gains, and Social Security income.

**Disbursements total \$923,441.62 and are categorized by Petitioners as:**

- Advance – Phil & Debra (Total \$245,469.27)
- Bank Charges (Total \$13,296.15)
- Bank Fee (Total \$20.00)
- Card Payment (Total \$5,864.73)
- Care Home (Total \$149,045.81)
- Caretakers (Total \$74,747.63)
- Clothing (Total \$29,878.65)
- Fuel (Total \$1,115.07)
- Groceries (Total \$41,670.68)
- Health Insurance (Total \$10,091.65)
- Household Supplies (Total \$39,274.42)
- Insurance (Total \$8,867.15)
- Laundry (Total \$205.50)
- Meals & Entertainment (Total \$1,761.00)
- Medical (Total \$19,206.04)
- Office Supplies (Total \$1,576.13)
- Payroll Taxes (Total \$4,986.43)
- Reading Material (Total \$156.34)
- Repair & Maintenance (Total \$38,440.54)
- Subscriptions (Total \$579.05)
- Taxes (Total \$30,961.28)
- Uncategorized (Total \$173,817.27)
- Utilities (Total \$32,410.83)
- **Total: \$923,441.62**

**Petitioners pray that:**

- 1. The former Successor Co-Trustees be allowed to supplement this Preliminary and Partial Accounting; and**
- 2. Such other further relief be granted as the Court considers proper.**

**Petition to Compel Turnover of the Betty Ruth Cozby Trust Pursuant to Probate Code Section 16061.5 and for Damages and Attorney's Fees Pursuant to Probate Code Section 16061.9**

		<b>JANICE POTTER</b> is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued from 10/4/12. As of 11/9/12 the following issue remains:</b>  1. Need Order.
		<b>Petitioner states</b> she is an heir at law, and believes she is a beneficiary of the Betty Ruth Cozby Trust.	
		Betty Ruth Cozby died in April 2011.	
		Betty Cozby was unmarried and did not have children, and her parents and siblings predeceased her.	
		Petitioner is a niece of Betty Cozby and heir at law under applicable Probate Code intestacy statutes.	
		Petitioner believes Betty Cozby's friend, Edward D. Reimer, is the named successor Trustee of the Betty Ruth Cozby Trust.	
		Upon the death of Ruth Cozby the Trust became irrevocable. Petitioner states she requested orally, and then more formally, through counsel, a copy of the Trust. The formal request was made on 8/17/2011. No response has been received to the request.	
		Probate Code §16061.5 provides that a trustee has a duty to provide a true and complete copy of the terms of an irrevocable trust, or irrevocable portion of a trust, to any beneficiary who requests it, and to any heir of a deceased settlor who requests it.	
		<b>Wherefore, Petitioner seeks relief as follows:</b>	
		1. For an Order compelling Edward D. Reimer to provide full and complete copies of the Betty Ruth Cozby trust, including any applicable schedules and amendments, if any;	
		2. For an Order compelling turnover of relevant information on the administration of assets of the Trust pursuant to Probate Code section 16061;	
		3. That Edward D. Reimer be ordered to personally pay Petitioner's attorney's fees and costs in filing and prosecuting this petition.	
		<b>Statement of Assets Held in The Betty Cozby Living Trust filed by Edward D. Reimer and Ola May Langley on 6/4/12.</b>	
<b>Cont. from 022912, 040412, 060412, 081312, 100412</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W/	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
	<b>Order</b>	X	
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b> <b>Reviewed on: 11/9/12</b> <b>Updates:</b> <b>Recommendation:</b> <b>File 4A - Cozby</b>

Atty

Campbell, Robert N (for Petitioner Janice Potter)

Atty

Gillmore, David M. (for Edward D. Reimer and Ola Mae Langley)

Status Re: Accounting

	<p><b>JANICE POTTER</b> filed a Petition to Compel Turnover of the Betty Ruth Cozby Trust and for Damages and Attorney's Fees. The matter was heard on 4/4/12 and continued to 6/4/12.</p> <p>At the hearing on 6/4/12 the court set this status hearing for the filing of the accounting.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Continued from 10/4/12. Minute order states Mr. Campbell is appearing via conference call. Mr. Gillmore advises the Court that the appraisal of the coins is completed and the value is just under \$12,000.00. He further advises that he should have everything necessary to complete the accounting in a couple of weeks. The Court is advised that the terms of the trust call for the check being issued to Janice and Steve Potter as husband and wife, however they are in the process of getting a divorce.</p> <p>1. Need Accounting or current written status report pursuant to Local Rule 7.5.</p>	
Cont. from 081312, 100412			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
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CI Report			
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Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 11/9/12	
		Updates:	
		Recommendation:	
		File 4B – Cozby	

(1) First and Final Account and Report of Executor and (2) Petition and for its Settlement, and (3) Petition for Final Distribution, (4) for Allowance Compensation to Executor and Attorney for Ordinary Services (Prob. C 11600)

<b>DOD: 04/12/12</b>	<b>LINDA LIPARI</b> , Executor, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: <b>04/12/12 – 09/30/12</b>	
	Accounting - <b>\$251,844.27</b>	
	Beginning POH - <b>\$245,593.48</b>	
	Ending POH - <b>\$216,272.51</b>	
	(\$211,272.51 is cash)	
<b>Cont. from</b>	Executor - <b>\$8,036.89</b>	
<b>Aff.Sub.Wit.</b>	(statutory)	
<input checked="" type="checkbox"/> <b>Verified</b>	Attorney - <b>\$8,036.89</b>	
<input checked="" type="checkbox"/> <b>Inventory</b>	(statutory)	
<input checked="" type="checkbox"/> <b>PTC</b>	Closing - <b>\$500.00</b>	
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	<b>Distribution, pursuant to decedent's Will, is to:</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Linda Lipari - \$100,000.00 plus	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/	tangible personal property valued at \$5,000.00.	
<b>Aff.Pub.</b>	Daniel J. Kesler - \$25,000.00	
<b>Sp.Ntc.</b>	Keith Kesler - \$50,000.00	
<b>Pers.Serv.</b>	Renee Stark - \$4,924.68	
<b>Conf. Screen</b>	Linda McCoy - \$4,924.68	
<b>Letters</b> 05/31/12	Mrs. Tom Werdel - \$4,924.68	
<b>Duties/Supp</b>	Mrs. Jean Fitz - \$4,924.69	
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<input checked="" type="checkbox"/> <b>9202</b>		<b>Reviewed by:</b> JF
<input checked="" type="checkbox"/> <b>Order</b>		<b>Reviewed on:</b> 11/09/12
<b>Aff. Posting</b>		<b>Updates:</b>
<b>Status Rpt</b>		<b>Recommendation:</b> SUBMITTED
<b>UCCJEA</b>		<b>File</b> 5 - Kesler
<b>Citation</b>		
<input checked="" type="checkbox"/> <b>FTB Notice</b>		

**Petition for Approval of Payment of Conservator's Attorney Fees and  
Reimbursement of Costs Advanced; Request for Payment of Conservator's Fees  
[Prob. C. 2640(a)(2)-(3)]**

<b>Age:</b> 92	<b>ANITA LEAL-IDROGO</b> , daughter, was appointed temporary Conservator of Person on 06/25/12 and was subsequently appointed as Conservator of the Person on 07/23/12.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Order.
Cont. from		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w/	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>	x	
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
	<b>BRUCE BICKEL</b> , professional fiduciary, was appointed temporary Conservator of the Estate on 06/25/12 and was subsequently appointed as Conservator of the Estate on 07/23/12 with bond fixed at \$1,298,519.36.  Petitioner requests fees in connection with her petition to be named as Conservator of the Person and naming Bruce Bickel as Conservator of the Estate. Summer A. Johnson performed legal services on behalf of the Petitioner in connection with the Petition for appointment of Conservator from 05/29/12 until 08/30/12.  Petitioner asks <b>that Johnson &amp; Wright be paid</b> from the Conservatorship Estate for legal services and costs as follows: <b>65.1 hours @ \$200.00/hr. for \$13,020.00; and .8 hours @ \$325.00/hr. for \$260.00; and \$1,360.50 in costs for filing fees/certified copies, and personal service of the Citation; for a total fee request of \$14,640.50.</b>  Services are itemized by date and include consultation with Petitioner, drafting of documents, obtaining capacity declaration, conferences with client, and court appearances.  Petitioner also requests <b>reimbursement for travel expenses in the amount of \$1,392.39</b> to attend the hearing on the general conservatorship on 07/23/12, in lieu of any Conservator's fee to be paid to Petitioner.  Petitioner states that she intends to travel to Fresno to visit the Conservatee at least twice more in the next six months and requests that the Court authorize Bruce Bickel, Conservator of the Estate, to reimburse Petitioner reasonable travel expenses for the two trips up to a maximum of \$5,000.00 total, without prior court approval, upon submission of appropriate receipts and/or documentation. Petitioner believes that this will prevent unnecessary dissipation of estate funds for repeated requests for approval of the Conservator's reimbursement of travel expenses.  To date the following Inventory & Appraisals have been filed by the Conservator of the Estate: I & A, partial no. 1 - \$280,000.00 I & A, partial no. 2 - \$963,184.30 <b>Total - \$1,243,184.30</b>  <b>Petitioner prays for an Order:</b> 1. Authorizing Bruce Bickel, Conservator of the Estate, to pay Johnson & Wright \$14,640.50 for legal services and costs rendered; 2. Authorizing Bruce Bickel, Conservator of the Estate to reimburse Petitioner, Anita Leal-Idrogo, the amount of \$1,393.27 for travel expenses and costs incurred to attend the 07/23/12 hearing; and 3. Authorizing Bruce Bickel, Conservator of the Estate, to pay Petitioner, Anita Leal-Idrogo, up to \$5,000.00 total as reimbursement for future travel costs, upon submission of appropriate receipts and/or documentation.	

**Reviewed by:** JF

**Reviewed on:**  
11/09/12

**Updates:**

**Recommendation:**

**File 6 - Haney**



Petition for Appointment of Probate Conservator of the Person and Estate  
 (Prob. C. 1820, 1821, 2680-2682)

<b>Age: 68</b>		<b>TEMPORARY EXPIRES 10-18-12</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>ISABEL BARRIENTOS</b> , daughter, is Petitioner and requests appointment as Conservator of the Person <del>and Estate</del> with medical consent and dementia medication and placement powers. <i>[Note: Per Minute Order 10-12-12, Estate request is dismissed.]</i>	<u><b>Court Investigator advised rights on 8-21-12.</b></u>
<b>Cont. from 090612, 101812</b>			<u><b>Continued from 9-6-12, 10-18-12. As of 10-12-12, nothing further has been filed.</b></u>
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	<b>VOTING RIGHTS <u>NOT</u> AFFECTED</b>	<b>Note:</b> The temporary order also authorized Petitioner to move the Conservatee's residence to reside with Petitioner.
<input checked="" type="checkbox"/>	<b>Verified</b>	<b>Need Capacity Declaration.</b>	<b>Note:</b> Examiner notes that the Petitioner also checked boxes for additional powers under Probate Code §§ 2590, 2351-2358, limited conservatorship, and dementia powers.
<input type="checkbox"/>	<b>Inventory</b>	<b>Petitioner states:</b> Petition is blank. No facts are provided.	<u><b>Minute Order 10-12-12:</b></u> The Petitioner informs the Court that Ricardo Barrientos is back in a convalescent home. <u><b>The Court dismisses the Petition for Appointment of Conservator of the Estate finding that the Petitioner's desire not to go forward with that petition is a request for dismissal.</b></u> The Court continues the Petition for Appointment of Conservator of the Person to 11/15/12. The temporary is extended to 11/15/12.
<input type="checkbox"/>	<b>PTC</b>	<b>Court Investigator Charlotte Bien filed a report on 8-27-12.</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input checked="" type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		<b>SEE PAGE 2</b>
<input type="checkbox"/>	<b>Status Rpt</b>		<b>Reviewed by:</b> skc
<input type="checkbox"/>	<b>UCCJEA</b>		<b>Reviewed on:</b> 11-9-12
<input type="checkbox"/>	<b>Citation</b>		<b>Updates:</b>
<input type="checkbox"/>	<b>FTB Notice</b>		<b>Recommendation:</b>
			<b>File 7 - Barrientos</b>

## NEEDS/PROBLEMS/COMMENTS:

1. Need Capacity Declaration (GC-335) with Dementia Attachment (GC-335A) for consideration of medical consent and dementia medication and placement powers.

Note: Petitioner attached a physician's statement to her Confidential Supplemental Information form; however, the Capacity Declaration is a mandatory Judicial Council form that is necessary for the Court to make the findings required to grant medical consent and dementia powers. See GC-335.

2. Need Citation (GC-322).
3. Need proof of personal service of Citation with a copy of the Petition at least 15 days prior to the hearing pursuant to Probate Code §1824 on Mr. Barrientos.
4. Need Notice of Hearing (Form GC-020).
5. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on all relatives pursuant to Probate Code §1822.

Note: Petitioner does not list relatives on the Petition; however, the Court Investigator's Report indicates the following relatives:

- Guadalupe Barrientos (Spouse)
- Diana Gamez (Daughter)
- Alice Ayala (Daughter)
- Demetrio Barrientos (Son)
- Sylvia (Daughter)
- Cindy (Daughter)

6. Need Video Receipt (Local Rule 7.15.8.)

Note: Due to the above issues, continuance for compliance may be necessary. Examiner has retained the Order and will prepare accordingly if/when granted.

**Amended Petition to Determine Succession to Real Property**

<b>DOD: 03/26/12</b>		<p><b>LINDA JOYCE DUFFICY</b>, Trustee of the M.E. Holland 2009 Trust established September 29, 2009, is Petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>I &amp; A                      -                      <b>\$65,000.00</b></p> <p>Will dated September 29, 2009 devises entire estate to the M.E. Holland 2009 Trust.</p> <p>Petitioner requests Court determination that decedent's 100% interest in real property located at 1544 W. Cambridge, Fresno pass to her pursuant to decedent's will.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
<b>Cont. from</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b> w/		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 11/09/12</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b> SUBMITTED</p> <p><b>File 8 - Holland</b></p>	

Atty Coleman, William H., of Coleman &amp; Horowitz (for Petitioner Debra A. White)

**Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 8/22/2012</b>		<b>DEBRA A. WHITE</b> , daughter and named Executor without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 102512</b>		Full IAEA – O.K.	<p><b>Continued from 10/25/2012.</b> Minute Order states Counsel informs the Court that he is in the process of resolving the two issues. Counsel requests a continuance.</p> <p><b>The following issue from the last hearing remains:</b></p> <p>1. Declaration of Attorney Timothy P. O'Rourke Re Deposit of Copy of Codicil filed 9/27/2012 satisfies Probate Code § 8223 by including a written statement of the testamentary words contained in the Decedent's lost Codicil. Probate Code § 8223 also requires the provisions of the lost Codicil to be set forth in the order admitting the Will and lost Codicil to probate. Need revised proposed order containing the provisions of <u>only the lost First Codicil to the Will</u> (i.e., a copy of First Codicil attached to the proposed order with a signature line included on the last page of the copy of the First Codicil for the Court's approval.)</p> <p><b>Note:</b> If petition is granted, Court will set status hearings as follows:</p> <ul style="list-style-type: none"> <li><b>Friday, April 19, 2013 at 9:00 a.m. in Dept. 303</b> for filing of inventory and appraisal; and</li> <li><b>Friday, January 24, 2014 at 9:00 a.m. in Dept. 303</b> for filing of first account and/or petition for final distribution.</li> </ul> <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p>
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Residence – Kerman Publication – <i>The Kerman News</i>	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	<b>Estimated value of the Estate:</b> Personal property - \$887,000.00 Annual income: P/P - <u>to be determined</u> <b>Total - \$887,000.00</b>	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	<b>Probate Referee: Steven Diebert</b>	
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Aff. Posting		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<b>Reviewed by:</b> LEG	
		<b>Reviewed on:</b> 11/13/12	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 9 - Georgeson</b>	

Petition to Determine Construction of the Trust and to Instruct the Trustee as to the  
Administration of the Trust [Prob. C. 17200(b)(3)(6)]

			<b>THELMA M. SOHM and KEITH DONALD SOHM, Co-Trustees, are petitioners.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
			<b>Petitioners allege:</b>	
Cont. from			On 6/21/1991 Chester H. Sohм and Thelma M. Sohм executed the <b>Chester H. Sohм and Thelma M. Sohм Trust of 1991.</b>	
	Aff.Sub.Wit.			
✓	Verified		On 4/20/1999, Chester H. Sohм and Thelma M. Sohм in their capacities as Trustors/Trustees executed the First Amendment to the Trust.	
	Inventory			
	PTC		On February 6, 2008, Chester H. Sohм and Thelma M. Sohм in their capacities as Trustors/Trustees executed the "Amendment" to the Trust.	
	Not.Cred.			
✓	Notice of Hrg		Chester died on 4/22/2012. Pursuant to the terms of the Trust upon the death of Chester, Keith Donald Sohм was nominated and agreed to serve as co-Trustee.	
✓	Aff.Mail	W/		
	Aff.Pub.		The issues before the court is the validity of the document executed on February 6, 2008.	
	Sp.Ntc.			
	Pers.Serv.		<b>Petitioners state:</b>	
	Conf. Screen			
	Letters		The 4/20/1999 First Amendment to the Trust added a definition of disability and changed the character of the Trust from a joint revocable trust (all assets of the trust passing to the control of the surviving spouse) to a mandatory division of assets between a Bypass Trust and Survivor's Trust following the death of the first Trustor. The primary beneficiaries of the trust estate following Thelma M. Sohм's death were not changed. Each child is to receive free of trust an equal share of the estate. The only modification was to the contingent beneficiaries for Keith D. Sohм. Instead of limiting the distribution to his only biological child, Tiffany Sohм, it includes a share for his step-children, Kevin O'Neal and Kay O'Neal.	
	Duties/Supp			
	Objections		<b>Please see additional page</b>	
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: KT

Reviewed on: 11/13/12

Updates:

Recommendation:

File 10 - Sohм

On February 6, 2008, Petitioner and Chester H. Sohм executed The Amendment to the Chester H. Sohм and Thelma M. Sohм Trust of 1991. It recites a change in address, and a sale of real property located in Prather, CA. It also purports to amend the trust back to the original form as executed on 6/26/1991.

Petitioner, as original Settlor, has first-hand knowledge of the Trustor's joint intent.

To the best recollection of the Petitioner, Thelma M. Sohм, the Amendment dated 2/6/008 was drafted and signed at the Clovis Senior Center. Said Amendment was created solely by Chester H. Sohм, who had been showing signs of cognitive impairment for a number of years. By 2000 Chester was having difficulty making decisions and was acting out in an angry and resentful fashion in 2008, the year of the purported "Amendment." Petitioner, Thelma H. Sohм, declares that the only reason she signed the Amendment was because she was embarrassed and her husband was making a "scene." Attached to the Petition is a "Patient Summary Report" prepared by the University of California, San Francisco staff dated 2/24/2011, where they concluded Chester H. Sohм had dementia.

Petitioner requests instructions from the Court to disregard the "Amendment" dated 2/6/2008, as Chester H. Sohм, Trustor/Trustee lacked the capacity to amend his Trust, and to administer the Trust pursuant to the First Amendment dated April 20, 1999.

**Wherefore, Petitioners pray for an Order of this Court:**

1. Instructing Petitioners to administer the Trust pursuant to the Terms of the First Amendment to the Chester H. Sohм and Thelma M. Sohм Trust of 1991. Said amendment is dated April 20, 1999.
2. To disregard the Amendments to the Chester H. Sohм and Thelma M. Sohм Trust of 1991, dated February 6, 2008.

Petition to Determine Succession to Real Property and Personal Property (Prob. C.  
13151)

<b>DOD: 08/02/12</b>		<b>CAYCE BORDEN</b> and <b>GREG BORDEN</b> , children of decedent, are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>		40 days since DOD.	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>	No other proceedings.	
	<b>Inventory</b>		
	<b>PTC</b>	I & A - <b>\$125,623.75</b>	
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>	Will dated: 02/01/02 devises estate	<p>1. Will is not self-proving. Need Affidavit of Subscribing Witness.</p> <p>Although the will is not being admitted to probate, this summary proceeding does necessarily include a determination of validity. See Probate Code § 13151 and commentary.</p>
✓	<b>Aff.Mail</b>	to William Reede – 50%, Greg L. Borden – 25%, and Cayce C. Borden – 25%. If any of the above named beneficiaries does not survive decedent, such deceased beneficiaries share shall be distributed equally among the then living above named beneficiaries.	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>	Petition states that William Reede died on 11/09/08.	
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>	Petitioners request Court determination that the decedent's 100% interest in real property located at 229 7 <sup>th</sup> Street, Clovis, CA, a 2000 Honda Cr-V, household furnishings and personal property located at 229 7 <sup>th</sup> Street, Clovis, CA, and 3 Bank of America bank accounts pass to them in equal 50% shares pursuant to decedent's will.	
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

<b>Reviewed by:</b> JF
<b>Reviewed on:</b> 11/09/12
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 11 - Borden</b>

<b>DOD: ?????</b>	<b>LUPE BONILLA HERNANDEZ</b> , surviving spouse, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	No other proceedings.	1. Petition is incomplete at item 3. Need decedent's date of death.
<b>Cont. from</b>	Decedent died intestate.	2. The Petition is missing Attachment 7 which is to state the facts upon which Petitioner bases the allegation that the property described Attachment 7a is property that should pass or to her as the surviving spouse.
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	Petitioner states - ???? [no statement is made]	3. Need Order.
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>	Petitioner requests court confirmation that real property property (APN: 554-270-016) passes to her.	
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		



Status Hearing Re: Filing of First Account or Petition for Final Distribution

<b>DOD: 7/2/2008</b>		<b>PUBLIC ADMINISTRATOR</b> is the Successor Administrator of the Estate.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>STEVE GAUCIN</b> , son, was appointed as Administrator on 9/186/2008 without bond and with full IAEA authority.	
<b>Cont. from</b>		Letters never issued. Mr. Gaucin failed to administer the estate.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>	On 9/29/2011 the Court removed Mr. Gaucin and appointed the Public Administrator.	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>	<b>Status Report filed on 11/9/2012</b> states the Public Administrator has sold the sole asset of the estate, real property located in Selma. They are currently finishing the taxes. In order to allow time to finish the taxes and to prepare the final account it is requested that the next status hearing be set no earlier than 60 days from the date of this hearing.	
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 11/9/12</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 13 - Gaucin</b>

Probate Status Hearing: Failure to File Annual or Biennial Account

Cont. from 092612		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

**PATRICIA A. GAZDA**, Sister, was appointed Conservator of the Estate on 12-8-11, with funds to be placed into a blocked account.

On 7-16-12, the Court set this status hearing for failure to file an account.

I&A filed 7-31-12 reflects a total conservatorship estate value of \$98,846.00.

On 9-6-12, the Court approved the establishment of a Special Needs Trust for the Conservatee with Inland Counties Regional Center, Inc., as Trustee.

NEEDS/PROBLEMS/COMMENTS:

OFF CALENDAR

First and Final Account filed 11-7-12 is set for hearing on 1-9-13

Note: The Special Needs Trust established 9-6-12 was assigned case number 12CEPR00826. A status hearing is set for 1-4-13 for filing of the I&A in that case.

Reviewed by: skc

Reviewed on: 11-9-12

Updates: 11-13-12

Recommendation:

File 14 - Allen

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 4 years		TEMPORARY EXPIRES 11/15/12		NEEDS/PROBLEMS/COMMENTS:	
		JONI ALFORD, paternal aunt, is petitioner.		1. Need Notice of Hearing.	
		Father: JACARE SHEPHEARD – consents and waives notice.		2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on:	
Cont. from		Mother: MICHELLE NIEBEL – Declaration of Due Diligence.		a. Michelle Niebel – unless the court dispenses with notice.	
	Aff.Sub.Wit.			3. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on:	
✓	Verified			a. Maternal grandparents (unknown) – unless the court dispenses with notice.	
	Inventory			4. UCCJEA is incomplete. Need residence information for the minor from birth (5/3/08) to 11/2010.	
	PTC				
	Not.Cred.				
	Notice of Hrg	X			
	Aff.Mail	X			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	X			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820,  
1821, 2680-2682)

Age: 20		<b>ROSALIND BOWLER</b> , Mother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers under Probate Code §2355 and dementia powers under Probate Code §2356.5.  <b>Voting rights affected</b>  <b>A <u>partial</u> Capacity Declaration was filed 11-1-12.</b>  <b>Petitioner states</b> the proposed Conservatee has been diagnosed with Childhood Disintegrating Disorder and Dementia. She requires 24-hour care and needs assistance with daily living activities such as meals, sleep, waking, dressing, bathing, etc. She is unable to find her way home if she gets lost. Petitioner attaches a copy of a doctor's letter indicating treatment for the above disorder and dementia.  <b>Court Investigator Samantha Henson filed a report on 11-8-12.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Court Investigator advised rights on 11-2-12.</b>  <b>Voting rights affected – need minute order</b>  1. <b>Petitioner requests dementia powers, but does not attach the mandatory Judicial Council Form GC-313. Amendment and amended service may be necessary.</b>  2. <b>Need Citation.</b>  3. <b>Need proof of personal service of Citation with a copy of the Petition at least 15 days prior to the hearing on proposed Conservatee Summer Bowler.</b>  4. <b>Petitioner states the proposed Conservatee is developmentally disabled. Therefore, need proof of service of Notice of Hearing at least 30 days prior to the hearing on Central Valley Regional Center pursuant to Probate Code §1822(e).</b>  5. <b>Need Capacity Declaration in support of medical consent powers and dementia powers, with Dementia Attachment GC-335 and GC-335A.</b> <i>The Capacity Declaration filed 11-1-12 only addresses the proposed Conservatee's ability to attend the hearing. The letter attached to the petition is not on the mandatory form with information pursuant to Probate Code §§ 1881 and 2356.5.</i>  <b>Note: Pursuant to the above items, continuance may be required.</b>	
Aff.Sub.Wit.				
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
✓	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation	X		
	FTB Notice			

Reviewed by: skc
Reviewed on: 11-9-12
Updates: 11-13-12
Recommendation:
File 16 – Bowler

## Petition for Appointment of Temporary Guardian of the Person

Age: 3	<b><u>TEMPORARY GRANTED EX PARTE;</u></b> <b><u>TEMPORARY EXPIRES 11/15/12</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Notice of Hearing. 2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - George Hernandez (father) - Angela Martinez (mother)
	<b><u>GENERAL HEARING 01/10/13</u></b>	
Cont. from	<b>VALARE LEE MARTINEZ</b> , maternal grandmother, is Petitioner.	
<input type="checkbox"/> Aff.Sub.Wit.	Father: <b>GEORGE HERNANDEZ</b>	
<input checked="" type="checkbox"/> Verified	Mother: <b>ANGELA MARTINEZ</b>	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	Paternal grandfather: MR. HERNANDEZ	
<input type="checkbox"/> Aff.Mail	Paternal grandmother: MARIA MONTEZ	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Maternal grandfather: DANIEL MARTINEZ	
<input type="checkbox"/> Pers.Serv.	<b>Petitioner alleges</b> the child's mother is addicted to meth and abandoned the child on 09/25/12 by leaving her at a friend's home and not returning. The child's father has been in and out of county jail and is awaiting sentencing for seven different cases. Neither parent is able to provide adequate care for the child at this time. Temporary guardianship is needed because the child requires medical attention and Petitioner needs to enroll her in pre-school as soon as possible due to her work schedule.	
<input checked="" type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 11/09/12
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 17 – Hernandez</b>

<b>Age: 82</b>		<b>GENERAL HEARING 1-7-13</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>DIANA RODRIGUES and ROBERT CHREST</b> , daughter and son, are Petitioners and request appointment of <b>DIANA RODRIGUES</b> as Temporary Conservators of the Person and <b>ROBERT CHREST</b> as Temporary Conservator of the Estate with bond of \$161,916.00.		<u><b>Court Investigator Charlotte Bien advised rights on 11-7-12.</b></u>	
		<b>Petitioners also request</b> that any prior power of attorney or advance health care directive executed by the proposed Conservatee be suspended and issuance of a restraining order barring Deborah Covey and Heather Covey-Matthes from accessing any of the proposed Conservatee's financial accounts.		1. Confidential Supplemental Information (Form GC-312) is incomplete: Need proposed Conservatee's date of birth, etc.	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>				2. Need Notice of Hearing.	
<input checked="" type="checkbox"/> <b>Verified</b>				3. Need proof of personal service of Notice of Hearing at least five (5) Court days prior to the hearing pursuant to Probate Code §2250(e) on proposed Conservatee Betty Jean Chrest.	
<input type="checkbox"/> <b>Inventory</b>				4. Need proof of service of Notice of Hearing at least five (5) Court days prior to the hearing pursuant to Probate Code §2250(e) on:	
<input type="checkbox"/> <b>PTC</b>				- Deborah Jean Covey (Daughter)	
<input type="checkbox"/> <b>Not.Cred.</b>				- Gary Ladd (Brother)	
<input type="checkbox"/> <b>Notice of Hrg</b>		<input checked="" type="checkbox"/>		- Jimmy Ladd (Brother)	
<input type="checkbox"/> <b>Aff.Mail</b>		<input checked="" type="checkbox"/>		- Ron Ladd (Brother)	
<input type="checkbox"/> <b>Aff.Pub.</b>				- Kenneth Ladd (Brother)	
<input type="checkbox"/> <b>Sp.Ntc.</b>				- Carol Norton (Sister)	
<input type="checkbox"/> <b>Pers.Serv.</b>		<input checked="" type="checkbox"/>		- Barbara Bradford (Sister)	
<input checked="" type="checkbox"/> <b>Conf. Screen</b>		<input checked="" type="checkbox"/>		- Donna Berg (Sister)	
<input checked="" type="checkbox"/> <b>Letters</b>				- Anthony Rodrigues (Grandson)	
<input type="checkbox"/> <b>Duties/Supp</b>				- Heather Matthes (Granddaughter)	
<input type="checkbox"/> <b>Objections</b>				- Holly Covey (Granddaughter)	
<input type="checkbox"/> <b>Video Receipt</b>				- Danielle Covey (Granddaughter)	
<input checked="" type="checkbox"/> <b>CI Report</b>				- Nicholas Chrest (Grandson)	
<input type="checkbox"/> <b>9202</b>				- Eric Chrest (Grandson)	
<input checked="" type="checkbox"/> <b>Order</b>				- Shawntelle Chrest (Granddaughter)	
				- Aaron Lowndes (Grandson)	
				- Kindra Lowndes (Granddaughter)	
				- Shayna Lowndes (Granddaughter)	
<input type="checkbox"/> <b>Aff. Posting</b>				<b>Note: If granted, need bond of \$161,916.00 for Robert Christ as Temporary Conservator of the Estate.</b>	
<input type="checkbox"/> <b>Status Rpt</b>				<b>Reviewed by:</b> skc	
<input type="checkbox"/> <b>UCCJEA</b>				<b>Reviewed on:</b> 11-13-12	
<input type="checkbox"/> <b>Citation</b>				<b>Updates:</b>	
<input type="checkbox"/> <b>FTB Notice</b>				<b>Recommendation:</b>	
				<b>File 18 - Chrest</b>	

**Estimated Value of Estate:**  
 Personal property: \$ 126,500.00  
 Annual income: \$ 20,696.00  
 Cost of Recovery: \$ 14,917.60  
 Total Bond Required: \$ 161,915.60 (Temporary)

**Petitioners state** the proposed Conservatee's daughter Deborah Covey, who has not been involved with her life for approx. 10 years, and her daughter, Heather Covey-Matthes, took the proposed Conservatee from her home for three days without informing other family members and without returning phone calls as to her whereabouts, took her to an attorney and coerced her into signing a will, advance health care directive and power of attorney in late October 2012. The will provides Ms. Covey-Matthes with a \$10,000.00 bequest, but excludes all other grandchildren. The proposed Conservatee suffers from dementia, including significant short-term memory loss, and lacks capacity to execute such documents. Petitioners caught Ms. Covey-Matthes attempting to take control of a bank account using the POA, and also recently received a check from the proposed Conservatee in the amount of \$5,000.00 despite her limited financial resources and lack of capacity. Petitioners fear ongoing abuse of the POA.

The proposed Conservatee takes several medications daily and is not capable of remembering which to take on her own. Petitioners are highly concerned that she will be taken again and that her medical needs will not be adequately addressed.

**SEE ADDITIONAL PAGES**

Page 2

**Petitioners also filed an Ex Parte Application for Good Cause Exemption to Notice of Hearing on Petition for Appointment of Temporary Conservator of the Person and Estate** that requests immediate and substantial harm may occur if the proposed Conservatee and all relatives are given notice.  
(See #4 and Attachment #4.)

**Declaration of Attorney Jared Marshall states** Deborah Covey and Heather Covey-Matthes will take action to abuse the POA if they have notice of the hearing and requests that the Court dispense with notice to them pursuant to Cal. Rule of Court 3.1204(b)(3).

**Court Investigator Charlotte Bien filed a report on 11-9-12.**

Atty Roberts, David A. (for Joan St. Louis – Petitioner)

Atty Boyett, Deborah K. (Court-appointed for Conservatee)

Petition for Appointment of Temporary Conservatorship of the Person and Estate

Age: 87		<b>GENERAL HEARING 1-9-13</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>			
		<p><b>JOAN ST. LOUIS</b>, close friend, is Petitioner and requests appointment as Temporary Conservator of the Person and Estate without bond.</p> <p><b>DAVID J. ST. LOUIS</b> was appointed Conservator of the Person on 11-22-11 with medical consent powers and dementia medication and placement powers, and was appointed Conservator of the Estate on 4-24-12 without bond, funds to be blocked.</p> <p>Petitioner states she is the wife of former Conservator <b>DAVID J. ST. LOUIS</b>, who passed away recently. There is currently no one serving as Conservator with authority to manage Mrs. Bingham's day-to-day affairs including medical care. Her trust pays household bills as submitted, but Petitioner states that since Mr. St. Louis' death, no one has been able to obtain funds for Mrs. Bingham's day-to-day needs, and it is necessary to have a temporary conservator in place immediately because waiting for the general hearing is too long.</p> <p>Petitioner states it is her intention to petition the Court to allow a portion of the \$324,000.00 in the blocked account to be released for Mrs. Bingham's everyday needs. It is unfortunate that with millions of dollars in the bank, she has to borrow money to have lunch with her friends or get her hair styled.</p> <p><b>Court Investigator Dina Calvillo to file report.</b></p>		<p><u>Note:</u> According to previously filed documents, the purpose of the conservatorship of the estate was so that Mr. St. Louis could file Mrs. Bingham's tax returns. The bulk of her assets are held in trust. It was later determined that approx. \$324,000.00 was held outside of trust, and that amount has been blocked pursuant to receipt filed 5-22-12.</p> <p><u>Note:</u> Court Investigator to file report.</p> <ol style="list-style-type: none"> <li>1. Need proof of <u>personal</u> service of Notice of Hearing with copy of temporary petition at least five Court days prior to the hearing pursuant to Probate Code §2250(e) and Requests for Special Notice (Probate Code §1252) on Conservatee Wanda H. Bingham.</li> <li>2. Petitioner requests appointment without bond; however, Petitioner also states that she intends to request release of some of the blocked funds. Need clarification: Is Petitioner requesting such release at this time? If so, how much? The Court may require bond, including cost of recovery, and the Court may require clarification with reference to the trust.</li> </ol>			
	Aff.Sub.Wit.						
✓	Verified						
	Inventory						
	PTC						
	Not.Cred.						
✓	Notice of Hrg						
✓	Aff.Mail						
	Aff.Pub.						
	Sp.Ntc.						
	Pers.Serv.						X
✓	Conf. Screen						
✓	Letters						
✓	Duties/Supp						
	Objections						
	Video Receipt						
	CI Report		X				
	9202						
✓	Order						
	Aff. Posting						
	Status Rpt						
	UCCJEA						
	Citation						
	FTB Notice						
				<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 11-13-12</p> <p><b>Updates:</b> 11-14-12</p> <p><b>Recommendation:</b></p> <p><b>File 19 - Bingham</b></p>			